

REMARKS

The preceding amendment is respectfully submitted in response to the outstanding final Office Action of March 20, 2003 on the above-identified application. Entry of the amendment, and a reconsideration of the claims as amended, are respectfully requested.

Claims 1 and 3 through 25 are pending in the application. In the action, all claims, save claim 17, were rejected on the basis of the prior art. No mention of claim 17 appears in the action.

Referring to the cover sheet, or "Office Action Summary", the Examiner noted that claims 1 and 3 through 23 are pending in the application. As implied above, the application also includes claims 24 and 25. More importantly, the Examiner also noted that claims 1 and 3 through 23 are subject to restriction and/or election requirement. The action includes no explanation of this requirement. The Examiner is respectfully requested to clarify this for the Applicant and the undersigned attorney.

Still referring to the Office Action Summary, the Examiner acknowledged a claim for foreign priority made by the Applicant, but indicated that a certified copy of the priority document has not been received. The Applicant respectfully submits that the priority document was mailed to the Patent and Trademark Office on December 5, 2001 with a return-receipt postcard, and that the postcard was returned with a date stamp of January 18, 2002. The Examiner is accordingly requested to confirm that the priority document has been entered into the file.

Before considering and addressing the rejections made on the basis of the prior art, claim 1 has been amended to more particularly point out and distinctly claim the subject matter regarded as the invention. While some of the changes have been made to improve the

legibility of the claim, that the second connecting element “is in the area of the longitudinal axis of the strip” is a further definition of the strip believed to distinguish the present invention from the teachings of the art being applied by the Examiner. Support for this limitation may be found in Figures 1 through 4, where the longitudinal axis is clearly shown and where the second connecting element is in the area of the longitudinal axis of the strip. Additional support may be found in claim 4 and in the specification at page 2, third line from the bottom to page 3, line 1. Due to the inclined arrangement of the second connecting element, the openings extend near to the longitudinal axis of the strip. In the prior art cited by the Examiner, the openings in the lamella of the prior-art strips do not extend near to the longitudinal axis. This gives the prior-art strips a continuous center portion along the longitudinal axis so that they are less readily compressed or extended relative to the longitudinal axis.

That the second elements are inclined relative to the longitudinal axis is also clearly shown in Figures 1 through 4. Additional support may be found in the specification at page 2, lines 1 through 7, and page 2, line 31 through page 3, line 1. Accordingly, the amendment being made to claim 1 is well supported by the specification and drawings. Its entry is respectfully requested.

Turning now to page 2 of the action, claims 1, 3 through 8, 10 through 12, 16 and 18 through 21 were rejected under 35 U.S.C. §102(b) as being anticipated by Davis et al. (U.S. Patent No. 5,302,466).

Davis et al. shows a continuous strip of sheet metal being progressively sheared with longitudinally spaced and laterally extending slits to form opposing U-shaped tabs having corresponding edge portions and are successively connected by corresponding center portions of the strip. As shown in Figure 8, the expanded elongated metal strip comprises V-shaped tabs

with diverging leg portions which define longitudinally spaced teardrop-shaped openings. These openings do not extend as far as the longitudinal axis of the strip, which accordingly has a continuous center portion.

Claim 1 is respectfully submitted to be patentable over Davis et al., which neither shows nor suggests that the “second connecting element being formed in the area of the longitudinal axis of the strip between the openings in said opposing lamella legs and being inclined relative to said longitudinal axis whereby the second connecting element allows the strip to be compressed or extended relative to the longitudinal axis.” Due to the inclined arrangement of the second connecting element being formed in the area of the longitudinal axis of the strip, the tensile strength of the strip is increased while simultaneously allowing for a compression of the strip. A larger angle of inclination with respect to the longitudinal axis of the strip leads to an increased compressing capability and vice versa; see page 2, lines 2 to 7 of the specification. Claims 3 through 8, 10 through 12, 16 and 18 through 21, all of which directly or indirectly depend from claim 1, are submitted to be patentable as further limiting the subject matter claimed in claim 1.

Claims, 1, 19, 22 and 23 were rejected as being anticipated by Hein (U.S. Patent No. 4,348,443). As with Davis et al., Hein shows a strip having a continuous center portion. Accordingly, claim 1 is respectfully submitted to be patentable over Hein, as are claims 19, 22 and 23, which directly or indirectly depend from claim 1 and further limit the subject matter being claimed therein.

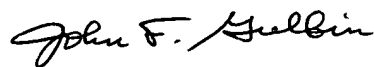
Finally, claims 9, 13 through 15, 24 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable for obviousness over Davis et al.. For the reasons given above, claim 1 is submitted to be patentable over Davis et al. Claims 9, 13 through 15, 24 and 25 are all directly

or indirectly dependent from claim 1, and further limit the subject matter being claimed therein. They are submitted to be patentable over Davis et al. as further limiting the subject matter being claimed in an allowable claim.

Attached hereto as an Appendix is a marked-up copy of claim 1, wherein the changes being made are indicated using the traditional bracketing and underlining, as required under 37 C.F.R. §1.121(c).

An early allowance of claims 1 and 3 through 25 is respectfully requested and earnestly sought.

Respectfully submitted,



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APPENDIX

1. (Twice Amended) A strip having a plurality of lamellae [which are], each said lamella being interconnected [via] to the next by a first connecting element, each lamella comprising two opposing lamella legs [and], each said lamella leg having at least [two openings] one opening extending transversely to the longitudinal axis of the strip, at least one second connecting element being formed in the area of the longitudinal axis of the strip between the openings in said opposing lamella legs and being inclined relative to said longitudinal axis [wherein] whereby the second connecting element allows the strip to be compressed [and/or] or extended [towards] relative to the longitudinal axis [of the strip].